

**DECLARATION OF DARRYL CARLSON
JULY, 2008**

I, Darryl Carlson, do solemnly declare:

1. On 7.29.08 at 2:04 pm I spoke with Helen Beatty Auweloa by telephone at the Women's Community Correctional Center in Kailua, Oahu, Hawaii.
2. Ms. Auweloa had been considered an alibi witness in July 1995 when police were in the active process of locating James Hina Burkhart as their suspect in the murder of Vilmar Cabaccang.
3. Upon review of a statement that was written by the late Detective Antonio Funes, wherein he states that Helen Beatty [Auweloa] reported as to how Helen awakened every morning between 01:00 and 03:00 hours to feed her baby and on 7/14/95 she saw Burkhart asleep in the spare bedroom when she got up.
4. It was decided to place a phone call to Ms. Auweloa at the Women's facility to clarify this point. Since when we spoke together the previous day on 7.28.08 at the facility – that it was just she and I that spoke – and that what she wrote out was from her own memory and in her own handwriting; and that I did not try to put words in her mouth ... to which she said “and nobody said you did.” I said thank you ... and some similar comment and we continued.
5. I told her that in reviewing a police statement made by a police detective, it was written up as if the interview was a “one on one” such as what we had the day before ... yet in speaking with her, she disclosed as to how there was a “swarm” [her words } of officers that converged on her home and property.
6. Ms. Auweloa went on to reiterate “Oh yes, they came from the bushes, the trees, down the road, looking for Hina”.

Exhibit F

7. I asked Ms. Auweloa if the comment she made to the detective was accurate: with officers running all over – there was a “marked difference” as compared to a one on one interview. She agreed.

8. So, I asked if she could recall telling the officer that Hina was there on 7.14.08 and that she “got up at between 1am and 3am every morning to feed the baby”?

9. Ms. Auweloa told me she “didn’t recall that”.

10. I then asked her if she actually did get up at 1am to 3am every morning to feed a baby? She said that she couldn’t remember. That we’re talking 15 years or so. To which I answered “about 13 I think”.

11. So, I asked her if it would be alright with her if I could record this ... since I can’t get in a car or drive to where she is. To meet her again, I would have to fly over.

12. She Balked. She said she was not comfortable with this, then she said “Have a nice day, and hung up.”

13. She was not called to testify at Taryn Christian’s trial to her alleged statement.

I DECLARE UNDER THE PENALTY OF LAW THAT THEFORGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: July 1, 2008



DARRYL CARLSON